

JAMAL KEARSE,

Plaintiff,

- against -

LINCOLN HOSPITAL (BRONX NEW YORK);  
HAND SPECIALIST JOHN DOE (LINCOLN  
HOSPITAL BRONX N.Y.),

Defendants.

JAMES C. FRANCIS IV  
UNITED STATES MAGISTRATE JUDGE

: 07 Civ. 4730 (PAC) (JCF)

: REPORT AND  
: RECOMMENDATION

**USDS SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** 3/6/08

The complaint in this action was filed on June 4, 2007, and an amended complaint was filed on August 3, 2007, but service on the defendants was never effected. By letter dated February 20, 2008, I advised the plaintiff to submit within two weeks any reasons why the action should not be dismissed. I received no reply. I therefore recommend that the complaint be dismissed without prejudice pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. Pursuant to 28 U.S.C. § 636(b)(1) and Rules 72, 6(a), and 6(e) of the Federal Rules of Civil Procedure, the parties shall have ten (10) days to file written objections to this Report and Recommendation. Such objections shall be filed with the Clerk of the Court, with extra copies delivered to the chambers of the Honorable Paul A. Crotty, Room 735, and to the chambers of the undersigned, Room 1960, 500 Pearl Street, New York, New York 10007. Failure to file timely objections will preclude appellate review.

Respectfully submitted,

  
JAMES C. FRANCIS IV  
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York  
March 6, 2008

Copies mailed this date:

Jamal Kearse  
241-06-17385  
G.R.V.C.  
09-09 Hazen Street  
East Elmhurst, New York 11370